



House of Representatives

General Assembly

File No. 662

February Session, 2004

Substitute House Bill No. 5519

House of Representatives, April 26, 2004

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING FIREFIGHTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) A municipality with a
2 volunteer fire department shall be liable for all municipal costs
3 associated with the injury, disability or death of any active member of
4 the volunteer fire department who is also a uniformed or regular
5 member of a paid fire department in another municipality, provided
6 such member is injured, disabled or dies on or after the effective date
7 of this section while engaged in volunteer fire duty within the
8 jurisdiction of the volunteer fire department. Such costs include any
9 costs incurred by the paid fire department or the municipality in which
10 the paid fire department is located as a result of such member's injury,
11 disability or death, including, but not limited to, disability retirement
12 benefits, death benefits or survivors' benefits.

13 (b) This section shall not be construed to exempt a municipality

14 from any of the obligations set forth in section 7-314a of the general
15 statutes.

This act shall take effect as follows:
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Section 1	<i>from passage</i>
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LAB *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 05 \$	FY 06 \$
Various Municipalities	Cost	Potential	Potential

Explanation

The bill prohibits municipal firefighter contracts from barring paid firefighters from serving as volunteer firefighters in other municipalities. To the extent that municipalities would have to pay to replace firefighters who sustain injuries in their volunteer positions through overtime or otherwise, passage of the bill would result in potential costs to municipalities.

It should be noted that injured volunteer firefighters are covered under the workers' compensation or insurance policy of the municipality that they serve.

OLR BILL ANALYSIS

sHB 5519

AN ACT CONCERNING FIREFIGHTERS**SUMMARY:**

This bill transfers liability for certain costs associated with the injury, disability, or death of a paid firefighter who volunteers in another municipality from the municipality where he is employed to the one where he volunteers, if the costs were incurred in his volunteer service on or after the bill's passage. The costs include but are not limited to, disability retirement benefits, death benefits, and survivors' benefits.

The bill does not exempt a municipality from any of its obligations under workers' compensation law.

EFFECTIVE DATE: Upon passage

BACKGROUND***Legislative History***

On April 6, the House referred the original bill (File 303) to the Appropriations Committee, which reported it unchanged on April 13.

On April 15, the House referred the bill to the Labor and Public Employees Committee. On April 19, the committee reported out this substitute bill. The original bill (1) prohibited any contract between a municipality and a municipal union executed on or after January 1, 2005 from barring a paid municipal firefighter from serving as a volunteer firefighter in another municipality but (2) allowed the municipality and a union to negotiate to keep such a provision in any contract that was negotiated and took effect before January 1, 2005.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 17 Nay 2

Appropriations Committee

Joint Favorable Report

Yea 39 Nay 7

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 5